WASHINGTON

THE TRIAL OF THE PRESIDENT.

The Replication of the Impeachment Managers.

Refusal of the Court to Grant the President Thirty Days to Prepare His Defence.

The Trial to Proceed on Monday Next.

WASHINGTON, March 24, 1308.

The Impeachment Trial. The impeachment entertainment was well attended to-day; the audience was select and fashionable. yet gay and festive in appearance. There was a smaller show of beautiful faces than on yesterday; staid and matronly looking females were at a discount, and the bright ribbons, &c., were interspersed with a good deal of the sombre and serious. No rush for seats occurred, though every seat was occupied. The ticket business was a tame affair, so tame in fact that Senator Sherman proposed to suspend it altogether and let the pleblan crowd come in without let or hindrance. An audience of crowded faces seemed to be desired and the ticket arrangement, if persevered in, might have the effect of leaving empty benches for the Grand High Jury to look upon. Of course Sherman's proposition was laid over, because next Monday, when the trial really commences, the interesting female relatives of Congressional members will desire to be present and the common crowd of humanity, especially of the Ethiopian shade, must be shut out. The latter can select any other day after everything worth seeing and hearing is disposed of, and the Senate will kindly allow ordinary mortals admission

without the necessity of tickets. Cause of Judge Black Ceasing to Be One of the President's Counsel.

I am authorized to state that it is not true that Judge Black advised the President to resign; nor is it true that he ever expressed any doubts about the justice of the defence. He has, and has always had, the fullest confidence that the President would be acquitted if he got a fair hearing and a decision according to the law and the effects. Nor is it true that Judge Black ever differed in opinion from the other counsel of the President had any controversy with them. The despatch in a Baltimore newspaper of this morning is, as Judge Black asserts, totally untrue in regard to the Alta Veta case. The Dominicans never pretended to have any claim to that island. The American owners, he says, were there under a title clear, driving them off when their force happened to be weak and there was no American vessel in those waters to protect them was a naked wrong which the perpetrators never tried to excuse by alleging a title n themselves. But Mr. Seward set up a title for them, and for several years, by one device and another, he prevented the truth from appearing in a tangible shape. The delay caused the Dominicans to suppose that the United States would never vindicate their honor or the rights of their citizens, and recently, under the encouragement of Mr. Seward, they began to sell the guano. Mr. Seward's defence of them is one which they never would have set up for themselves, and which they did not even adopt when he made it. When the President, seeing the case, but acting under the influence of Mr. Seward, refused to do the justice which the owners had a right to expect, Judge Black, finding his friends. clients and partners determined to proceed and take other measures to secure their rights and expose Mr. Seward's conduct, told the President that he found himself so situated that he could only relieve himself from unendurable embarrassments by ceasing to be one of his counsel; and he claimed to be released from his obligations as such, assuring the President at the same time that he was much grieved at not being able to serve him longer in that capacity. I further understand that Messrs. Thaddens Stevens, Bingham, Butler, Logan, Garfield, Blaine and other prominent republicans expressed very decided President's duty in regard to the Alta Vela case, it seemed probable that Congress might take some measures which would bring the interests of Judge Black's clients and those of the President into

in the impeachment case. General Morgan, of Ohio, to be Ousted from A report was in circulation to-day and telegraphed

asked to be relieved from further service as counsel

abroad that the Committee on Elections had voted to retain General Morgan, of the Thirteenth Ohio district in his sent. This was an error. The committee, by a strict party vote-six republicans (Mr. abarger being absent) against two democratshave resolved to report in favor of giving the seat to Columbus Delano, the contestant. They say he was elected by eighty-two majority. It is not probable that the report will be made until next week. Confirmations and Rejections by the Senate

The Senate, in Executive Session to-day, confirmed the following nominations: John R. Drabell, Assessor of Internal Revenue

Second district of West Virginia; Lemuel D. Evans, or of Internal Revenue, Fourth district of Texas: Charles Robinson, of Vermont, Consul at

The Senate also confirmed about one hundred omeers of the Navy for promotion.

The Senate rejected Augustus Bradley, Assess Inlernal Revenue for the Second district of Indiana; David M. Mills, Assessor of Internal Revenue for Dakota, and James W. Snyder, Assessor of Twenty fourth district of New York. Treatise Sent to the Senate.

It is understood that two treaties with Italy have recently been sent to the Senate.

Reorganization of United Circuit Courts The bill introduced in the Senate yesterday by Mr Cole to reorganize the Circuit Courts of the United States provides that hereafter each Circuit Court shall consist of one Judge, who shall reside in the circuit and be called a Circuit Judge, and who shall be appointed in the same manner, hold office by the same tenure, and receive the same compensation as District Judges. All acts authorizing the District Court Judges or Supreme Court Justices to hold the Circuit Court are repealed.

Reorganization of the State Department. to reduce the expenses thereof, introduced in the Senate by Mr. Wilson, provides that the department shall consist of a secretary, with a salary of \$8,000 an assistant secretary, with a salary of \$3,500; a chief clerk, at \$2,200; three heads of divisions, at \$2,000 each; thirty clerks of various classes, and fourteer other employés, all of whose duties are minutely pre-scribed. The Passport Clerk is required to administer gratuitously oaths in proof of citizenship. The fee for certified copies of passports and amnesty ished in time of peace, and during its continuance The President's approval shall not be a sufficient voucher for any money expended from the funds of the department. It is also provided that it shall not be lawful for the Secretary of State to fill the office of Chief Clerk or to replace the heads of divisions by

new appointments, but only by promotion. Prevention of Frauds in the Trensury Depart.

ment.
The Secretary of the Treasury, in reply to a resolution of the House as to the regulations for prevent ing and discovering frauds in the printing and issue f postal and fractional currency, enclosed to that hody the report of Mr. Clarke, the superintendent of the printing division. The latter gives an account of the mode of transacting the business, and says that with the delivery of the currency to the Treasury of the United States the responsibility of on ceases, and the responsibility is then assumed by the Typasurer. Under the practical opera-

tion of this system up to the present time there has been manufactured \$83,000,000 of fractional curren-cy, involving the handling many times over of twenty-seven millions of sheets, and producing \$444,000,000 of notes, without the loss to the government in that division of a single note of any denomination. General Spinner, in his response, says:-Frauds on and after the delivery of the currency to the office, except by outright stealing, could only be perpetrated by collusion with employes of the printing division and the Treasurer's office. As the printing division and the Treasurer's office. As no frauds in this respect have been committed in this office, none have been detected. The Land Office-Titles Confirmed in Cali-

The Commissioner of the General Land Office ha received from the Surveyor General of California a return of the survey of the following private land claims founded on Mexican grants before the acquisition of California by the United States:-Ranche Ornochumnes, confirmed to Catherine Shelden et al. containing 18,661 86-100 acres, situated in Sacramento county, on the Consumnes river and contiguous to the

rancho San Juan de los Moquelumnes. Los Ojitos rancho, confirmed to Mariano Soberanes, containing 8,900 17.100 acres, situated in Monterey county, adjoining the ranches Piogo, Milpitas and Pleyto. cases are returned with a view to the obtaining of patents, and will be acted upon in the regular

Important Decision of the Supreme Court The Supreme Court of the United States has de livered an opinion affirming the decision of the Su preme Court of Connecticut in the case of the Society for Savings against Gabriel W. Corte, treasurer. The society, on the 1st day of July, 1863, having in vested of its deposits a half million of dollars in the securities of the United States, deducted that amount of its deposits and duly paid the treasurer the tax on the balance. treasurer insisted and demanded that the society should account for and make payment of a tax or the full amount of deposits, which the plaintiff in error refused to do. Upon the case being submitted the Superior Court held that the society was bound to pay taxes on the full amount, and upon error this judgment was affirmed by a majority of the Supreme Court of Errors. It was not claimed on behalf of the State that its government may rightfully tax the securities of the federal government. The principal question in the case was whether the statute of Connecticut as sought to be enforced by the Treasurer imposed a tax upon the securities.

The Supreme Court of the United States, Mr. Just tice Clifford delivering the opinion, held that this was a society simply for receiving deposits and paying interest on the money invested. That a tax upon the deposits held by a Savings bank is not a tax on the securities in which they may be in vested, for the tax upon the deposits accrnes whether they are invested or not. Mr. Justice Miller dissented from the opinion for the reason that this tax was only a tax on government securities in

Cases in the Supreme Court. The following cases were taken up in the Suprem

Court to-day:-No. 122-United States vs. Hart. Appeal from th No. 122—United States vs. Hart. Appeal from the Supreme Court of New Mexico. Argued. No. 121—United States vs. Gillett. Appeal from the Supreme Court of the same Territory. Argued.) No. 115—The United States vs. Gillon et al. Appea from the Court of Claims. Argued. No. 125—Gordon et al. vs. United States. Argued. No. 128—Smith et al. vs. Cockrell. Argued. No. 129—Steamship James Battle vs. United States. Argued.

Special orders No. 66, just issued by command of General Grant, directs that General L. C. Eaton, De puty Quartermaster General, will proceed to St Louis. Mo., and temporarily take charge of the duties of the Chief Quartermaster, Military Division of Missouri, until the return of Brevet Major General J. L. Donald son, or until some other officer is assigned as Chie. Quartermaster of that division in place of Genera Donaldson.

Donaldson.

Brevet Brigadier General G. C. Card, by the same order is directed, in addition to his present duties as Depot Quartermaster at For. Leavenworth, Kansas, to take charge of the office of the Chief Quartermaster, Department of the Missouri, and attent to its duties during the absence of General Eaton.

Naval Bulletin. Captain John De Camp, of the United States Navy, has been placed on the retired list.

The following midshipmen have resigned:—Winfeld Gwinn, C. S. Richardson, Nelson A. Pinckney, Frank L. Clark and T. A. Kaufmann.

SPECIAL CORRESPONDENCE OF THE HERALD.

Speculations on the Issue of the Impeachment Trial-The Radical War on Chief Justice Chase—Radical Deviations in Support of Impeachment—The Squabble for Tickets to the WASHINGTON, March 22, 1868.

The absorbing interest felt in the great impeachment trial seems to increase. All the legal works that have the slightest bearing upon the method of proceeding in cases of impeachment, and which hitherto have been regarded as too dry and dusty for the perusal of any but professors of the abstruse science of John Doe and Richard Roe, are now eagerly sought after and perseveringly studied. People who never could be brought to comprehend the simple process of habeas corpus now talk learnedly upon the nice points of law involved in a trial of impeachment. Book stores display large placards informing the public that they have on hand full and accurate descriptions of the trials of Warren Hastings, Judge Peck, Judge Chase, &c. The on of our country was never assiduously studied and so diligently thumbed as it is now to acquire a thorough knowledge of its provisions, especially those parts of it which the terrible articles of impeachment charge Andrew Johnson with having violated. This popular thirst for knowledge on the supreme law of the country, whichever way the trial of President Johnson may be decided, cannot fall to have a beneficial effect upon the citi zens of the United States. The nature and principles of our government will be better understood, and the judges who are about to investigate the charges against the President of the United States. and who are expected to pronounce guilty or not guilty, according to the belief that may exist in their minds, after hearing the evidence on both sides of the question, and having the laws, pro and con, argued by the best lawyers in the land, have great need to look well to it that, in pronouncing their verdict, they are influenced by nothing but the law and the evidence. They cannot fail to see that they must be controlled by no other motives than the desire to mete out the strictest justice, for the country at large is searching out and digesting the law that govern the case, will listen to the same testimony that is given in the Senate chamber, will read the same legal documents, and will form its own opinion as to the guilt or innocence of the distinguished prisoner

Rumor, of course, is still busy with the presen views and opinions of Senators, and a dozen time

Rumor, of course, is still busy with the present views and opinions of Senators, and a dozen times a day, perhaps, it is proved by some garrulous politician, who assumes to have confidential relations with different members of the Senate, and is, therefore, well posted on the subject, that the President is certain to be deposed; and the same authority just as frequently proves conclusively that such a result is an utter impossibility.

Having listened to the arguments of the beforementioned well informed individuals, and having made as close and careful an inquiry into the predilections of Senators as is possible under the circumstances, your correspondent is convinced that not only is it impossible to foretell the finding of the court or the disposition of all the Senators but that to attempt to define the position or to record the decision of each of the Senators before the case is tried is an act of injustice towards a large proportion of them. Certain of the democratic Senators may be safely counted now as sure to vote against conviction, and a large number of the radical Senators may be as safely included among those who will vote for it; but the greater number of the members are far too deeply impressed with the sclemnity of the trial they are engaged in and its vast importance in shaping the destiny of our country to act lightly in any matter connected with it, or to permit their judgment to be biased by party considerations. These men will certainly endeavor to sift truth from error, will judge of Andrew Johnson's acts as charged in the articles of impeachment in a spirit of fairness, to discover whether they were committed from a firm conviction on his part that he was but discharging the duties imposed upon him by the constitution, or whether they were the efforts of an ambitious demagogue to thwart the intentions of Congress in order to further his own views and the interests of an opposite party.

The reported views of Chief Justice Chase on the impeachment trial are forming a very interesting topic

those of a presiding judge who desires that his offi-cial conduct shall be such as will bear the keenest scrutiny of an unprejudiced world. It is true, how-ever, that the radical leaders have come to regard him as another obstacle to the execution of their

cial conduct shall be such as will bear the keenest scrutiny of an unprejudiced world. It is true, however, that the radical leaders have come to regard him as another obstacle to the execution of their plans, and have already begun to devise means to force him into coincidence with their pre-arranged schemes, or to sweep him aside along with all the other obstructions to the attainment of the radical millennium. Within the past week we have had evidence on two occasions of this hostility to Mr. Chasea resolution providing for the succession of the Chief Justice in case the present incumbent should die or be removed, and a new rule for the Impeachment Court, requiring that the Chief Justice shall not be addressed as Chief Justice, but as President of the Sonate. In the first may be distinctly seen a menace held over the head of Mr. Chase, and in the second an attempt to deprive the Impeachment Court as much as possible of its judicial character.

Those persons in Washington who have every facility for ascertaining the truth of statements sent from here to the various newspapers throughout the country have expressed surprise at the desperate falsilication of many correspondents of radical journals. The pertinacity with which they urge upon their readers what they assert to be the voice of public opinion here in favor of convicting the President, and the statements that are made, wholly devoid of truth, for the purpose of induencing the public mind, and perhaps of bolstering up the courage of such republican Senators as are suspected of being weak in the knees, have been so obvious in their intentions as to attract attention and to excite comment. Of this character was the report put in circulation a few days ago that Judge Black, one of the counsel for the President, had openly stated it as his belief that no successful defence of the President could be made, and he was sure to be convicted. This, it is needless to say, is utterly faise. Mr. Black has never expressed such an opinion.

Yesterday the squabble for

The Military Division of the Atlantic-General

WASHINGTON, March 23, 1868.

The movements of the President are causing good deal of uneasiness among the radicals. The imagine they see the same indications of approaching trouble that preceded the late coup wetat of the President in removing Mr. Stan on and appointing an ad interim. They observe a great many consultations going on at the White House, and greatly deplore the fact that among all the present members of the Cabinet there is not a Stanton. In the presence of Hancock here, and in his long and confidential interviews with Mr. Johnson, they find matter for deep concern and food for much consultation. That General Hancock has been officiously in terrupted in the performance of his good work at New Orleans, and his authority so grievously snubbed that he would be devoid of all self-respect if he continued at that post; that he has earnestly begged he President to relieve bim; that the President has finally consented and ordered him here to explain in person the reasons that prevent him from remaining command, does not, in their estimation, accoun for his appearance here at this particular juncture of affairs. So also if, after talking the matter over with General Hancock to be sure that the arrangement will be agreeable to him as well as to others and conducive to the general good, the President and conductive to the general good, the President should appoint General Hancock to the command of the Military Division of the Atlantic, simply because he is the only Major General of the army who is at present without a post of duty, and who has sumcient rank in the army to render him eligible to the command, the radicals would be certain to take alarm and run off with the idea that the country is about to be treated to one of "Obadiah Drant's rattling revolutions." These radical fears spring from their habit of suspecting every action of Mr. Johnson or of those not imbued with the radical faith to be necessarily revolutionary in its nature because it may not harmonize with their plans. The President entertains no idea of using military force to oppose the will of the radical majority in Congress, and if he did General Hancock is no more likely to lend his assistance towards it than were Generals Sherman and Thomas. But, say they, the President has an object in view in creating this new military division with its headquarters in Washington. Now, what is that object? The object seems plain enough. All the departments in the country are included in one or the other of the grand military divisions, and the number of commanding officers directly responsible to the Executive are thereby diminished, which greatly racilitates the transaction of official business. The departments included should appoint General Hancock to the command of are included in one or the other of the grand military divisions, and the number of commanding officers directly responsible to the Executive are thereby diminished, which greatly racilltates the transaction of official business. The departments included in the division of the Atlantic have hitherto had no intermediate commander between them and the General-in-Chief, and the object of the order is to appoint such a commander. The headquarters of the division would naturally be located at Washington, New York or Philadelphia, being the greatest centres of population. Of these the advantages are all in favor of Washington, on account of the facilities afforded for official communication.

A little caim consideration will convince the most obtase that all the bugbears that have so seriously shaken the nerves of timorous radicals, such as the copperheadism of Chief Justice Chase, the revolutionary plans of the President, the complicity in these imagined plans of General Hancock and the dreaded onslaught of Mosby and the Ku-Klux-Klan, have their existence in the troubied dreams of conscience-switten radicals and not within the bounds of probability.

THE FORTIETH CONGRESS.

SENATE.

WASHINGTON, March 24, 1888,

The CHAIR laid before the Senate a memorial of the South Carolina Constitutional Convention pray ing for donations of land for educational purpos Referred to the Committee on Public Lands.

Mr. Mongan, (rep.) of N. Y., from the Committee on Finance, reported favorably the bill to abolish the office of Superintendent of Exports and Drawbacks. THE PRESENTATION OF BILLS TO THE PRESIDENT.

On motion of Mr. EDMUNDS, (rep.) of Vt., the Senat took up the bill to regulate the presentation of bills o the President and the return of the same. Mr. Davis, (dem.) of Ky., moved to strike out the

second section, providing that bills presented to the President and not returned by him with his objec-tions within the ten days specified shall become law-and making it his duty to return the same to the Secretary of State, who is to certify that it has be-

and making it his duty to return the same to the Secretary of State, who is to certify that it has become a law.

The amendment was lost.

In reply to a question by Mr. Buckalew, (dem.) of Pa., how the entry upon the journal of the President's return of a bill to the Senate could be had as provided by the constitution, if the Senate was not in actual session, and therefore no journal was kept, Mr. Edminds repeated the views heretofore expressed by him, holding that Congress was in session, as contemplated by the constitution, until it declared itself adjourned.

Messrs, Johnson, (dem.) of Md., and Hendricks, (dem.) of Ind., supported the bill as giving a clear definition to a doubtful provision of the constitution as to what constitutes an adjournment.

The bill was passed—yeas 29, nays 10, Messrs, Davis, Doolittle, Bayard, Dixon, McCreery, Morton, Norton, Saulsbury, Williams and Buckalew voting in the negative.

Norton, Sausbury, Whitams and Buckate Totals the negative.

THE LINCOLN MONUMENT.

Mr. WILSON, (rep.) of Mass., from the Committee on Military Affairs, reported favorably the joint resolution to place at the disposal of the Lincoln Monument Association certain captured ordnance.

The Impenchment Trini. Mr. CRAGIN, (rep.) of N. H., from the committee to audit contingent expenses of the Senate, reported favorably the bill making appropriations for the expenses of the trial of impeachment of Andrew sonnson and other contingent expenses for the year ending June 30, 1868. Referred to the Committee on

Mr. SHERMAN, (rep.) of Ohio, offered an order that the order in regard to admission to the galleries be suspended until further order, and that the Sergeant-at-Arms shall take care that order shall be observed in the galleries during the trial to arrest and bring before the Senate any person violating order, to take care that no person enter the diplomatic, ladies' and reporters' galleries but those entitled to admission. Laid over. . The Casas of the House appeared and announced

that the House had adopted a replication to the answer of the President of the United States to the articles of impeachu. ent.

One o'clock having arrived the President pro tem. and took his seat, ordering the proclamation, which was made accordingly by the Sergeant-at-Arms. In the meantime the counsel for the President, Messrs. Stanbery, Curtis, Evarts, Nelson and Groesbeck, en-tered and took their seats. At five minutes past one o'clock the Managers were announced and took their seats, with the exception of Mr. Stevens, who was absent. The House was announced immediately, and the members disposed themselves outside the

The minutes of the session of vesterday were then The SECRETARY read the announcement of the

adoption of the replication by the House. Mr. BOUTWELL, of the Managers, then rose and said:-"Mr. President, I am charged by the Managers with the duty of presenting the replication offered by the House of Representatives." He read the replication as follows:-

The House of Representatives of the United States have considered the several answers of Andrew Johnson, President of the United States, to the several articles of impeachment against him by them exhibited in the name of themselves and of all the people of the United States, and reserving to themselves an advantage of exception to the insufficiency of this answer to each and all of the several articles of impeachment exhibited against said Andrew Johnson, President of the United States, do deny each and every averment in said several answers, or either of them, which denies or traverses the acts, intents, crimes or misdemeanors charged against said Andrew Johnson in said articles of impeachment, or either of them; and for replication to said answer, do say that the said Andrew Johnson, President of the United States, is guilly of the high crimes and misdemeanors mentioned in the said articles, and that the said House of Representatives are ready to prove the same.

At the conclusion of the reading Senator Johnson The House of Representatives of the United States

At the conclusion of the reading Senator Johnson said-Mr. Chief Justice, I move that an authenticated copy be presented to the counsel for the Presi-

The motion was agreed to.

The CHIEF JUSTICE-Last evening a motion was pending on the part of the counsel for the President that such a time should be allowed for their preparation as the Senate should please to determin Thereupon the Senator from Maryland (Mr. Johnson) presented an order, which will be read by the Secre-

The SECRETARY read the order providing that ten

days' time be allowed:—
Mr. Sumner, (rep.) of Mass.—Mr. President, I sead to the Chair an amendment to come immediately after the word "ordered" being in the nature

The SECRETARY read the amendment as follows That now that a replication has been filed the Senate, adhering to its rule already adopted, shall proceed with the trial from day to day, Sundays excepted, until otherwise ordered for regions shown. Mr. EDMUNDS-I move that the Senats retire to

Senator Suaven and others-No, no. The yeas and nays were demanded and ordered,

resulting as follows:-YEAS—Mesers, Anthony, Bayard, Buckalew, Corbett, Davis, Dixon, Doolittle, Edmunds, Fessenden, Fowler, Freinghuysen, Grimes, Henderson, Hendricks, Howe, Johnson, Mc. reery, Morril of Me., Morrill of Vt., Morton, Norton, Patterson of N. H., Patterson of Tenn., Saulsbury, Sprague, Van Winkle, Vickers, Willey and Williams—29.

NAYS—Messrs, Cameron, Cattell, Chandler, Cole, Conkling, Conness, Cragin, Drake, Ferry, Harlan, Howard, Morgan, Nye, Pomeroy, Ramsey, Ross, Sherman, Stewart, Sumner, Thayer, Tipton, Trumbull and Wilson—23. So the Senate retired for consultation at twenty-

ive minutes past one o'clock. After the Senators had retired Mr. Stevens was dis covered sitting to the left and rear of the President's desk, having entered unnoticed dur'ag the proceed-

In the meantime the galleries, hitherto very quiet, rippled with fans and chit-chat, in the assurance that the curtain was down, while on the floor the seats sacred to Senators were invaded by knots of members and others in conversation.

When the Senate had retired for consultation Mr. had previously submitted in the chamber by provid-ing that the trial of the President shall commence on

Thursday, the 2d of April.

Mr. WILLIAMS, (rep.) of Oregon, moved that the further consideration of the respondent's application for time be postponed until the Managers have opened their case and submitted their evidence. This was disagreed to by yeas 9, nays 42, as follows:— YEAS-Messrs, Anthony, Chandler, Dixon, Grimes, Harlan, Howard, Morgan, Patterson of Tenn., and

Williams—9.

NAYS—Messrs, Bayard, Buckalew, Cameron, Cattell, Cole, Conkling, Conness, Cragin, Davis, Doollttle,
Drake, Edmunds, Ferry, Fessenden, Fowler, Frelinghaysen, Henderson, Hendricks, Howe, Johnson,
McCreery, Morrill of Me., Morrill of Vt., Morton,
Norton, Nye, Patterson of N. H., Pomeroy, Ramsay,
Steward. Ross, Saulsbury, Sherman, Sprague, Stewart, Sumner, Thayer, Tipton, Trumbull, Van Wiakle, Vickers, Willey and Wilson—42.

Messrs, Corbett, Wade and Yates absent or not voting.

Mr. SUMNER had offered the following amenament. which he subsequently withdrew:-

Now that replication has been filed, the Senate, adhering to its rule already adopted, will proceed with the trial from day to day, Sundays excepted, unless otherwise ordered or reason shown.

Mr. Conkling, (rep.) of N. Y., moved an amend-

ment to Mr. Johnson's resolution by striking out "Thursday, the 2d of April," and inserting "Monday, the 30th of March," as the time when the trial shall Mr. Conkling's amendment was agreed to by year

28, nays 24, as follows:-

28, nays 24, as follows:—
YEAS—Messrs. Cameron, Cattel, Chandler, Cole, Conkling, Conness, Cragin, Drake, Ferry, Harlan, Howard, Howe, Morgan, Mortill of Me., Mortil of Vt., Morton, Nye, Patterson of N. H., Pomeroy, Ramsey, Ross, Stewart, Sumner, Thayer, Tipton, Willey, Williams and Wilson—28.

NAYS—Messrs. Anthony, Bayard, Buckalew, Corbett, Davis, Dixon, Doolittle, Edmunds, Fessenden, Fowler, Frelinghuysen, Grimes, Henderson, Hendricks, Johnson, McCreery, Norton, Patterson of Tenn., Saulsbury. Sherman, Sprague, Trumbull, Van Winkle and Vickers—24.

Messrs. Wade and Vates absent or not voting.

Other modification were made to the original esolutions, when it was adopted in the following

At twenty-five minutes past three o'clock the Senate reappeared, having been out exactly two hours. Order having been restored, the CHIEF JUSTICE said:—I am directed to inform the counsel that the

Senate have agreed to an order in response to their application, which will now be read:-Ordered, That the Senate will commence the trial of the President upon the articles of impeachment exhibited against him on Monday, the 30th day of March, and proceed therein, with all despatch, under the rules of the Senate, sitting upon the trial of an increasing the senate.

After a momentary pause the Chief Justice asked-Have the counsel for the respondent anything to pro

The counsel bowed in acquiesence to the decision Mr. BUTLER, one of the Managers, said-If the Chair will allow me, I will give notice to the witnesses to appear here on Monday, the 30th inst., at half-pas twelve o'clock.

On motion of Senator Wilson, (rep.) of Mass., the court was then adjourned until the date named, at hair-past twelve o'clock, and the Chief Justice vacated the chair, which was immediately resumed by the President pro tem. (Mr. Wade), who called the Senate to order.

Mr. GRIMES, (rep.) of Iowa, moved to go into ex

ecutive session, which, after a vain attempt by Mr.

Anthony to call up the report of the Committee on Rules, prevailed, and the Senate went into executive session accordingly. The doors were soon opened, and the Senate adjourned. HOUSE OF REPRESENTATIVES.

Replication of the Impeachment Managers to

the Answer of the President. Washington, March 24, 1868. The House reassembled at eleven o'clock. Mr. BOUTWELL, (rep.) of Mass., said he was directed by the Managers of Impeachment to report the form of replication to the answer of the President and also to submit a resolution.

Mr. CHANLER. (dem.) of N. Y., inquired whether it

was in order to call for the reading of the answer of the President?

The SPEAKER replied that it was not, but intimated that it was in order to call for the reading of the message from the Senate which accompanied the

with good judgment unless it heard the President's

House, not for the Chair.

The message from the Senale was read, and then

the replication was read, as follows:-

the replication was read, as follows:—

Replication by the House of Representatives of the United States to the answer of Andrew Johnson, President of the United States, to the articles of impeachment exhibited against him by the House of Representatives:—

The House of Representatives of the United States have considered the several answers of Andrew Johnson, President of the United States, to the several articles of impeachment against him by them exhibited in the name of themselves and of all the people of the United States, and reserving to themselves an advantage of exception to the insufficiency of this answer to each and all of the several articles of impeachment exhibited against said Andrew Johnson, President of the United States, do deny each and every averment in said several answers, or either of them, which denies or traverses the acts, intents, crimes or misdemeanors charged against the said Andrew Johnson in said articles of impeachment, or either of them; and for replication to the said answer do say that the said Andrew Johnson, President of the United States, is guilty of the high crimes and misdemeanors mentioned in the said articles, and that the said House of Representatives are ready to prove the same.

Mr. Spalding, (rep.) of Ohio, inquired of Mr. Bout-

Mr. SPALDING, (rep.) of Ohio, inquired of Mr. Boutwell whether the President had denied that he was guilty under the articles?

Mr. FARNSWORTH said the President admits the

Mr. Spalding added that the Managers would be met by legal critics in the Senate, and that they had better be careful how they drew up their replication.

Mr. BOUTWELL said that the attention of the Man agers had been drawn to that peculiar form of the answer filed on behalf of the President, but that the answer was in substance that he was not guilty. Therefore the form of the replication was different from what had been usually used in similar cases The answer to some of the articles amounted to a demurrer merely; but on the whole the Managers had chosen to treat the answer as a plea of not guilty. The Managers were of the opinion that no advantage could be taken as against the House of Representatives to the form of replication now reported. He was willing to allow an hour for criticism

as to the form of replication. Mr. WOODWARD, (dem.) of Pa., wished to call the attention of the Managers to the fact that the answer of the President to the eleventh article amounted to a demurrer. His own opinion was that the demurrer was very conclusive. He did not think there was any impeachable offences charged in the eleventh article. As the answer put that point in issue which was a legal question and amounted to a demurrer, he thought there should be a special replication to that part of the answer, or a joining of demurrers This general replication did not join any issues on that article at all, and was what might be called a

departure in pleading. Mr. BINGHAM, (rep.) of Ohio, said that the gentle man from Pennsylvania (Mr. Woodward), would find that the eleventh article, like every other article exhibited against the President, charged him with a that there was no departure whatever in the repli-cation. He desired to call the attention of the gentleman and of the House to the fact that, while the answer does contain much that is argumentative and much that might be called a demurrer, such a thing was never allowed at all in an impeachment There never had been a demurrer entertained in the Senate or in the House of Lords of England. There was no such thing on record. A demurrer did no lie in such cases; special pleading was unknown in the whole proceeding. The President's answer to the eleventh article expressly denied that he committed a crime, and was, therefore, a plea of not guilty. Here was the clause which contained the general denia!—"And this respondent, further answering the said eleventh article, denies that by means or reason of anything in said article alleged this respondent, as President of the United States, did on the 21st day of February, 1868, or at any other day or time, commit or that he was guilty of a high misdemeanor in office." He claimed that by the Parliamentary law that amounted to the same thing as if he had said he was not guilty of the crimes alleged against him in manner and form as charged. Forms were nothing in these matters; substance was everything. The replication was of substance, and was no departure. He would like to see Andrew Johnson go into the Senate of the United States and by presenting a demurrer confess the averment in the articles. lie in such cases; special pleading was unknown in

States and by presenting a demurrer confess the averment in the articles. No such rule obtained, because a demurrer admitted everything that is well pleaded Mr. Wood, (rep.) of N. Y., presumed that the obinto taken by the gentleman from Pennsylvania (Mr. Woodward) had reference to making the replication what it really ought to be. He (Mr. Wood) thought that this was a question which the court itself might determine. It was desirable, however, that whatever course the House might take it should exercise the greatest care, and the House should reserve to itself the right to instruct and direct the Managers. He would take exception himthe United States." We know, said he, that that is not the fact. There is not a man here who can rise in his place and seriously and candidly declare that the people of the United States have authorized the House to act on this question, or that any member of the House was ever elected on any such issue. Therefore it is false in fact that the House of Representatives is acting for and is representing all the people of the United States. We have had no representations made to this House from any portion of the people of the United States in favor of this procedure, except by a handful of office seekers who expect to derive personal advantage from the result. The Managers represent the House of Representatives; and in representing this House they are its agents. One of the Managers, the gentleman from Onio (Mr. Bingham), took upon himself to buily the Senate. He told the Senate to say whether it would observe its own rules; and yesterday the same honorable Manager undertook to criticize severely, and, in myindgment, improperly, the decisions of the Chief Justice of the United States, sitting as a presiding officer in that court. It will not do to say that that gentleman alone is responsible for these things. The Managers are acting and speaking in behalf of the House of Representatives, and therefore it is that I, as on member of the House, desire to enter my protest against any conduct on the part of either of these Managers that is not sufficiently decorons and proper and commensurate with the dignity and gravity of such an occasion. Who, for instance, authorized the Managers to say yesterday that they would present their replication to the Senate at one o'clock to-day? Is this a replication of the Managers or of the House of Representatives, I contend that, in the absence of any action on that question by the House of Representatives, I contend that, in the absence of any action on the part of the Managers to declare to the present Senate that they would at one o'clock to-day their replication. Sir, are we now

States, and that as that gentleman does not agree to it, therefore it is not a good repiteation. If that were so, that would be an end to the whole prosecution.

Mr. Wood said that he had stated that no portion of the people of the United States had authorized this action, and that therefore it did not represent all the people of the United States, and indeed did not represent any of the people.

Mr. BUTLER, (rep.) of Mass., replied:—The representatives of the people usually represent them; but the gentleman has not even the merit of originality in his objection. The form is one that has been used five hundred years, lacking eight. The objection was made to to once before, and only once, when the people of England, smarting under the usurpation and tyranny of Charles the First, not having any provision in their constitution, as we have, by which that iyrant could be brought to justice, outside of their constitution, and in a perfectly legal manner as I understand and believe, brought Charles to justice. When proclamation was made that they were proceeding in the name of all the people of England, one of the adherents got up and said, "No, the people do not consent to it;" so that the gentleman has at least a precedent for what he has done; and I wish we could follow out the precedent in this House, because the court inquired who made the objection and tried to find the offender for the purpose of punishing him (aughter); but he concealed himself, and could not be found, and he afterward turned out to be a woman—(aughter)—the wife of General Fairfax, who ratted, on that occasion, from the rest of the Commons. It is said by the gentleman from New York, that this replication is in a Baltimore paper. It ake issue with the fact. This replication was corrected in form at fifteen minutes past eleven o'clock this day. It is copied, in part, from the great precedents, so far as they apply, and therefore, any paper could publish something like it.

Mr. BUTLER.—And as the names of the Managers are not attached to the repl

Mr. Wood again intimated that the replication was altered after it was given to the papers.

Mr. BULLEL.—We never altered it at all. The kind of paper is one which the Managers do not take and do not patronize, either by farnishing the matter or reading it after it is published. This is a mere formal proceeding. There can be no demurrer; there can be no side issues, and all that the President's answer can amount to is a piea of 'not guilty," with a stump speech in the belly. (Laughter.) That is all. I am informed that the paper to which the gentleman alludes is the Baltimore American. I thought it was the Gazette, finding it in such suspictous company. The American is a very decent, respectable paper, and I only wonder that my friend from New York takes it. Now I trust that the House will not receive any lectures or any suggestions as to the propriety of language or propriety of conduct from the gentleman, who stands as yet under its censure for a violation of all parliamentary rules.

Mr. Wood—The bishest compilment of my life.

acutary rules.

Mr. Woon—The highest compliment of my life.
The hour of twelve o'clock having arrived the session of Monday was closed and the session of Tuesday

commenced.

Mr. Elderlog, (dem.) of Wis., said it would seem from the remarks of the gentleman from Massachusetts (Mr. Butler) that this matter is never to cease being a subject of levity. The impeachment of the President, from the beginning of the proceedings up to this hour, has been treated not only as a mere matter of form, but as a subject for triling. The centleman from Massachusetts tells us that when

President, from the beginning of the proceedings up to this hour, has been treated not only as a mere matter of form, but as a subject for triding. The gentleman from Massachusetts tells us that when the question was raised in England whether impeachment was in the name of the people some one exclaimed that it was not, and he said that person was understood to be a ranting old woman. Well, sir, it is not necessary for old women to come here and rant, for we have plenty of ranters in the House of Representatives.

Mr. BLAINE—On which side of the House?

Mr. ELDRIDGE—I suppose the gentleman knows; he is a very fair spectmen himself. The gentleman from Massachusetts undertook to say that the replication is a mere formal matter. That may be the understanding of the gentleman from Massachusetts, and we have the statement of the leading Manager, Mr. Bingham, last evening, that, anticipating the answer which has been presented by the President, the Managers had prepared a form of replication. There could be no other construction put upon his language than that the Managers, before they heard a word of the answer, had prepared a form of replication to it. They do not consider the facts of the case. They do not consider the facts of the case. They do not look upon the President's declaration and answer either specifically or generally; but they prepare and present to this House a replication in form to what they suppose the answer of the President will be. I said last evening that I did not desire the Managers on the part of the House, much as I respect them as individuals and much as I have confidence in them as gentlemen, to answer in my name on their own discretion. Every one of them was known to have convicted the President, without regard to the evidence and without regard to his answer, when they were appointed as Managers. The gentleman from Ohio tells us that the replication is a short traverse of all the matters and things set up. Is the impeachment of the President so much a matter of form that whatever may be denied by the Managers even before the answer comes in? Is that the form and is that the proceeding by which you are to remove the Chief Magistrate of this great nation? Suppose the President had come in and confessed many of the facts charged—and I understand he does admit many—are the Managers prepared in advance with a general denial of all matters and things set up by the President? Are the Managers prepared to deny recklessly and without regard to facts whatever the President may say? I do not want these gentlemen to file an answer for me. I do not want them to be authorized to act in my name, even at the hazard of my being called by the gentleman from Massachusetts a ranting old woman. So far as the President has undertaken to state facts and to give a narration of what has transpired I believe he has stated God's truth, and I believe that a majority of the House to-day believe that what he has stated is true. Why, then, should not this House, with equal frankness and sincerity, come forward and admit on the record whatever is true that the President has stated? Why should the House deny all that he may have stated, whether it be true or whether it be false? Why should we not come forward and meet the case, admitting such facts as are true and denying such as we consider are not true? Why cannot we consider the answer section by section, fact by fact, and whenever we find that the President has stated the truth admit that in our replication? Why send out to the country a false replication—a replication denying these truths which we know to be true? Why should we tell the country that all the President has stated is alle, when we know that most of it is true?

Mr. WILLIAMS, (rep.) of Pa., would like the gentleman to state, as a lawyer who had looked into the records.

has said is a lie, when we know that most of it is true?

Mr. WILLIAMS, (rep.) of Pa., would like the gentleman to state, as a lawyer who had looked into the precedents, whether he could point**To any case of impeachment that had been tried, except on the general issue of not guilty, whether any other issue could be made, and whether, in that case, any other replication could be filed than substantially that which had been prepared to-day?

Mr. Eldridge repeated that those portions of the President's answer which were true, and which could not be demied by witnesses, should be admitted; by this means they would narrow down the issue and save expense and time.

Mr. Highy, (rep.) of Cal., inquired whether the gentleman was in a hurry to have the President convicted?

Mr. Eldridge remarked that the gentleman (Mr.

Mr. Eldbridge remarked that the gentleman (Mr. Higby) was continuing the same practice of levity and insincerity which has been practised all the way through. He (Mr. Eldridge) cared not whether the trial be hurried up or delayed, so far as he was individually concerned; but he would have just as few facts to be controverted by testimony as possible. That would be good pleading; it would be good practice, and he was in favor of it.

Mr. WILLIAMS, one of the Managers, said the gentleman from Wisconsin seems to be of the opinion that this proceeding is to be tried on technical rules of pleading that are applicable in the trial of cases in courts of common law. I beg leave to remind him that it has been already openly confessed by the coursel for the President that it is not to be tried by the rules that prevail in common law courts, but by counsel for the President that it is not to be tried by the rules that prevail in common law courts, but by the law of Parliament. The pleadings are something peculiar. The counsel for the President have put in a series of answers very much of the character of an answer in chancery. There is no plea, there is no demurrer in that particular. I think that the answer filed by them is without precedent. What are the Managers under these circumstances to do? It stands confessed by the counsel for the President that a demurrer in a case of this kind does not appear. The gentleman from Wisconsin admits that there is no such precedent. We come, then, before the House with the idea and on the hypothesis that there is no such precedent. We come, then, before the House with the idea and on the hypothesis that there is but one issue to be tried, and that is the general issue of guilty or not guilty.

Mr. Eldbelder—My position is that the President, having gone on and stated the facts covering the ground of the charge against him specifically, we ought to meet him fairly, and admit such facts as we cannot disprove, thereby narrowing the issue, saving expense to the country and saving the expenses of calling a large number of winesses to disprove facts which we cannot deay.

Mr. WILLIAMS—Then the gentleman expects us to follow the President in his answer in the way of special replication precisely as we should try a case in the civi courts?

Mr. CHANLER made the point of order that the President.

The Speaker overruled the point of order on the

special replication precisely as we should try a case in the civic courts?

Mr. CHANLER made the point of order that the House had no official knowledge of the answer of the President.

The SPEARER overruled the point of order on the ground that the House of Representatives was by its own vote at the bar of the Senate yesterday for the specific purpose of hearing the answer, and it was to be presumed that the House had heart it.

Mr. WILLIAMS went on to argue that no other character of replication could be made to the answer of the President. If the House were to enter on a long series of special pleas it would be playing precisely into the hands of the President and his counsel, whose object appeared to be nothing more nor less than delay. Did the gentleman from Wisconsin want to perpetuate the trial till the close of the President's term? That seemed to be the general feeling, and to have been the expectation of the President's term? That seemed to be the general feeling, and to have been the expectation of the President himself. He had had some special doubt himself whether the Managers shough not have gone back to the Senate and compelled the defendant to put in a confession in form or a plea of "not guilty." but he had deferred to the judgment of his colleagues that they should take the whole of the answer as substantially a plea of "not guilty."

Mr. ELOHRIDGE said that was the very point he had endeavored to make; that the House having through its managers accepted the special answer put in by the President, was bound by that answer, and that it became the duty of the Managers to reply to that special answer, specially admitting such facts as they could not undertake to disprove. He would like to know where there was a case on record where managers of an impeachment allowed such an answer as that of the President to stand?

Mr. BINGHAM, (rep.) of Ohio, suggested to Mr. Williams that in the Chase impeachment there was just such a case.

Mr. WILLIAMS—And the gentleman anirom whether he believes that himsel

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